IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.797 OF 2006
IN
SUIT NO.1872 OF 1992

C.N.Thakkar & Ors. ...Plaintiffs
Vs.
Leelavati Chabildas Kapadia & Ors. ...Defendants

Mr.Deepen Desai, Advocate i/b.Kanga & Co.for Plaintiff
Mr.Abhijeet Wagh, Advocate i/b. Utangale & Co. for Defendant No.15

CORAM: SMT. ROSHAN DALVI, J.
DATE : 18TH DECEMBER, 2006.

P.C.

1. This Notice of Motion has been taken out by Defendant No.15 in March, 2006. No affidavit in reply is filed. The Notice of Motion is for rejection of the plaint under Order 7 Rule 11 of the CPC. It is the case of the Defendants that the present Plaintiffs have no privity of contract with the Defendants and the agreement was entered into by one Meghraj Maniklal Jain as the earlier Chief Promoter. The learned Advocate for the Defendant No.15 instructed by Uttangale & Company applies for withdrawal of the Notice of Motion.

2. Notice of Motion is allowed to be withdrawn. NOC.

(SMT. ROSHAN DALVI, J.)